APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,802	11/05/2001	Mukesh Sundaram	003924.P006	9764

24739 7590 01/07/2005		EXAMINER	
CENTRAL COAST PATENT AGENCY		DELGADO, MICHAEL A	
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AROMAS, CA 95004		ART UNIT	PAPER NUMBER
		2144	

DATE MAILED: 01/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	09/993,802	SUNDARAM ET AL.
Office Action Summary	Examiner	Art Unit	
	Michael S. A. Delgado	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>12 May 2004</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>05 November 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　a)☐ All   b)☐ Some * c)☐ None of:

　　1.☐ Certified copies of the priority documents have been received.

　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
　　application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) ☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date <u>10/6/03,11/05/01</u>.	6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

2003/0083882 by Schemers III et al in view of US 6,674,713 by Berg et al.

        In claim 1, Schemers teaches about a communications network comprising (Fig 1):

        a media server "voice server" (Fig 1,3) (Col 2, Para 22, lines 1-6);

        a media gateway "voice browser" (Fig 1, 2) (Col 2, Para 21, lines 1-8); and

        but does not explicitly teach about a call controller which handles session reliability. It is

well know in the art that the world wide web is susceptible to error and to provide a reliable

source of information there has to be an error detection and recovery system. This is evident

from Berg invention where a call controller "Media gateway controller" configured to provide

reliability handling for events experienced during a call session between the media server

("remote port" that provide service) and the media gateway "gateway 104" (Col 1, line 65- Col

2, line 5) (Col 2, lines 50-67) (Col 6, lines 30-40).

        It would have been obvious at the time of the invention for some one of ordinary skill to

use a reliability scheme in order to guarantee quality of service.

        It is customary for a client who is a user of the web, to be given a service guarantee by a

network provider. This guarantee is written within the contract and to maintain this quality of

service, a service provider has to put in place some kind of error detection and recovery scheme

to assure the quality of a session.

In claim 2, Schemers combined with Berg, teaches about a communications network of

claim 1 wherein the reliability handling includes the provisioning of voice extensible markup

language (VXML) instructions to the media server to retrieve applications from one or more

document servers (Schemers Col 2, Para 22, lines 1-6).

In claim 3, Schemers combined with Berg, teaches about a communications network of

claim 2 wherein the VXML instructions include uniform resource locators (URLs) identifying

the location of the applications (Schemers Col 3, Para 28, lines 6-12).

In claim 4, Schemers combined with Berg, teaches about a communications network of

claim 2 wherein the media server comprises a VXML engine (Schemers Col 2, Para 23, lines 1-

7).

In claim 5, Schemers combined with Berg, teaches about a communications network of

claim 4 wherein the media gateway is coupled to receive inbound calls from a telephone network

(Schemers Col 2, Para 20, lines 7-13).

In claim 6, Schemers combined with Berg, teaches about a communications network of

claim 4 wherein the call controller includes an interface adapted for communication with an

enterprise call router (Berg Col 7, lines 10-15).

In claim 7, Schemers combined with Berg, teaches about a communications network of

claim 1 wherein the exception handling includes one or more of call rejection or call transfer

(Berg Col 8, lines 35-50).

In claim 8, Schemers combined with Berg, teaches about a communications network of claim 7 further comprising a VXML document server "backend servers" communicatively coupled to the media server (Schemers Col 2, Para 24, lines 1-6).

In claim 9, Schemers combined with Berg, teaches about a communications network of claim 8 wherein the VXML, document server stores the VXML application to be executed by the media server (Schemers Col 2, Para 24, lines 1-6).

In claim 10, Schemers combined with Berg, teaches about a communications network of claim 7 wherein the exception handling is based on application profiles (profile create when client decide which network to switch to) for automated communication applications to be executed by the media server (Berg Col 8, lines 35-50).

In claim 11, Schemers combined with Berg, teaches about a method, comprising (Schemer Fig 1) (Berg Fig 3):

recognizing an event in a call flow process for an automated communication session in which the media server ("remote port" that provide service) interacts with a caller through a media gateway "gateway 104" (Berg Col 6, lines 30-50) (Berg Col 8, lines 35-50); and

invoking, in response thereto and at an application server communicatively coupled with the media server and the media gateway, one or more reliability handlers for coping with the

event according to an application profile for the automated call session (Schemers Col 2, Para

20, lines 1-14) (Berg Col 8, lines 35-50).

In claim 12, Schemers combined with Berg, teaches about a method of claim 11 wherein

the reliability handlers provide one or more of:

uniform resource locators (URLs) at which applications to be executed by the media

server are located, call rejection instructions, or call transfer destination telephone numbers

(Schemers Col 3, Para 28, lines 6-12) (Berg Col 6, lines 30-40).

In claim 13, Schemers combined with Berg, teaches about a method of claim 12 wherein

the URLs correspond to documents stored at the application server (Schemers Col 2, Para 24,

lines 1-6).

In claim 14, Schemers combined with Berg, teaches about a method of claim 12 wherein

the URLs correspond to documents stored at one or more document servers communicatively

coupled to the media server (Schemers Col 2, Para 24, lines 1-6).

In claim 15, Schemers combined with Berg, teaches about a method of claim 11 wherein

the reliability handlers respond to the event by transmitting instructions to the media server to

retrieve backup documents for processing a call from one or more document servers (Berg Col 6,

lines 30-50).

In claim 16, Schemers combined with Berg, teaches about a method of claim 15 wherein the backup documents comprise one or extensible markup language (VXML) applications (Schemers Col 2, Para 24, lines 1-6).

In claim 17, Schemers combined with Berg, teaches about a method of claim 11 wherein the event comprises one of: a timeout during communication between the media server and a document server, a document server error, a communication error between the document server and the media server, a page error, a resource failure error, an XML timeout error, an unexpected response from the document server, a call transfer process initiated by the media server, a call queuing operation initiated by the media server, a script execution initiated by an enterprise call router communicatively coupled to the application server, or a carrier-based transfer connect process requested by the media server (Berg Col 3, lines 5-15).

In claim 18, Schemers combined with Berg, teaches about a method, comprising performing call control operations at an application server "active Media gateway controller 102" communicatively coupled as a session initiation protocol (SIP) proxy (protocol between session manage server 112 and session manager client 114) between a media gateway "gateway 104" and a media server ("remote port" that provide service) according to application profiles (profile create when client decide which network to switch to) for one or more automated communication applications to be executed by the media server according to voice extensible markup language (VXML) instructions, the call control operations being performed in response to events that occur during execution of the automated communication applications, said events

including failures of the automated communication applications (Berg Col 6, lines 30-50) (Berg Col 8, lines 35-50) (Schemers Col 2, Para 24, lines 1-6).

In claim 19, Schemers combined with Berg, teaches about a method of claim 18 wherein the events comprises one or more of: a timeout during communication between the media server and a document server, a document server error, a communication error between the document server and the media server, a page error, a resource failure error, an XML timeout error, an unexpected response from the document server, a call transfer process initiated by the media server, a call queuing operation initiated by the media server, a script execution initiated by an enterprise call router communicatively coupled to the application server, or a carrier-based transfer connect process requested by the media server (Berg Col 3, lines 5-15).

In claim 20, Schemers combined with Berg, teaches about a method of claim 19 wherein the application profiles are retrieved from a directory accessible by the application server at a time when a call session is established (Schemers Col 2, Para 17, line 1- Para 18, line 12).

Conclusion

3.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 6,766,298 by Dodrill et al, teaches about an application server configured for dynamically generating web pages for voice enabled web applications.

US 2003/0009337 by Rupsis et al, teaches about an enhanced media gateway control protocol.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925

. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MD

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